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39 Old County Road  
West Tisbury, MA 02575

Zoning Board of Appeals

Town of West Tisbury

PO Box 278

West Tisbury, MA 02575

To Whom it May Concern:

This letter is in response to an application for a Special Permit by Alexander BenDavid to operate a Service (Landscaping/power wash business out of his residence. I may be traveling at the time of the scheduled Zoom call and/or calling in, thus I have written this letter.

I am one of the main abutters to the subject property. I have lived here for almost 10 years and LOVE the quiet neighborhood and access to many towns.

I was informed by Mr. James Parguette (whom I purchased my home from) Mr. Bendavid has an Easement to his property over Stoney Hill Path, which is considered a SPECIAL WAY in the town of West Tisbury. Myself and Peter Mauro (another abutting neighbor, own ½ of the road from Old County Road, all the way up until the subject property begins and I own ½ all the way to the Ancient Way of Holmes Hole Road. When Mr. BenDavid moved in last December of 2020, he took it upon himself WITHOUT PERMISSION FROM THE TOWN OR OWNERS OF THE ROAD, to scrape (numerous times with his Bobcat) the old country road of Stoney Hill Path, and proceeded to put down crushed concrete to smooth the road. While scraping the road, he also ran his Bobcat across my property, digging up the grass. If I recall, this road is to be maintained by the MV Landbank.

It then became evident to all the neighbors that a landscaping business was being run out of his residence of 43 Old County Road. Numerous calls were made to the Town of West Tisbury, by various neighbors, complaining of the noise and numerous trucks going in and out of the road. Mr. BenDavid finally applied for a permit 6 months later on July 1<sup>st</sup>, 2021. It has taken until January 13<sup>th</sup> 2022 for any action to take place by the Town.

After reading the application, there are many false claims. The business has operated up to 7 days a week, including many Holidays, such as Labor Day & Columbus Day. In the Spring and Summer months, employees are coming in (in excessive speed) between 6:30am and 7:00am and leave in the work trucks and return 3-4 (sometimes more) times during the course of the day, and have returned as late as 6:30pm. When the work trucks returned, many times they are pressure washed down, which is an additional excess noise to the neighbors.

Large delivery trucks, such as Sysco Trucks, make deliveries for supplies of the Landscaping/pressure wash business. In addition, large trucks have delivered such items as

Bobcats and other large machinery. The Special Way of Stoney Hill Path was not meant for this type of traffic.

It should be noted that many West Tisbury school children ride their bikes up Stoney Hill Path to connect to the Ancient Way of Holmes Hole Road, to ride to and from School in the nicer months. The road is also used by many horseback riders as well as cyclists and hikers.

Since the business has been operating out of there, there has been a large decline in the number of foot and cycling traffic using the road, which is sad.

Also, the application does not include a recent addition of a large landscaping truck to the inventory. The application states the buildings on the subject property are able to accommodate all equipment stored on the property related to the nature of the business. The 2 large landscaping trucks are always stored outside.

Mr. BenDavid came in to the James Way, Stoney Hill Path neighborhood like a "bull in a china shop." And he assumed I was not a nice neighbor, he even chose to file a "fake" police report against me. Claiming I had spread old hay from my horse trailer all across his property. When I received the phone call from the West Tisbury Police dept. I was in complete shock and very upset.

I had purchased a brand new (right out of the showroom) horse trailer on the previous Thursday and parked it in my yard. Four days later, Monday, is when I received the call. Two WT police officers came to my residence and myself and my boyfriend and the police attempted to contact Mr. BenDavid to discuss the matter and he was unavailable at his parents house. We found the hay in question. Mr. BenDavid had thrown it into the Ancient Way of Holmes Hold Road. The hay in question actually came from the old barn that is on Mr. BenDavid's property, that had been there since Mr. James Parquette had horses there almost 7 years ago. I showed the police officers the inside of the trailer and how it was brand-new. This shows you a portion of Mr. BenDavid's character. There have also been text messages with threatening words to me that have been shown to the WT Police Dept. I should not have to be afraid to come home to my own house, not knowing what Mr. BenDavid will do next.

I do thank Mr. Bendavid for helping my boyfriend take down a large broken limb from a damaged tree during last October's Hurricane.

I am always in support of an entrepreneur and supporting one's family, especially with a new baby in the family. And I am well aware of the cost of commercial storage space. However, this due-diligence should have been done prior to purchasing a home in West Tisbury and assuming it was OK to operate a business, such as a landscaping /powerwash business, in a residential area; and not even apply for a special permit until the Town of West Tisbury sent a Cease and Desist letter in June of 2020. A residential area should remain a residential area. The Island has designated many commercial areas for such these types of businesses with vehicles. They should not be combined with residential areas and risk the possibility of property value decreasing.

We are against a Special Permit being issued to Mr. Bendavid.

Thank you for your time.

Elizabeth J. Carroll